

BOARD OF REVIEW DECISION

Title of publication: Front: Issue 163

Other known title(s): Front #163

OFLC ref: 1200216.000

Medium: Magazine

Publisher: Kane Publishing Ltd

Country of origin: United Kingdom

Language: English

Applicant: Netlink Distribution

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 28 August 2012

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 10 August 2012

Summary of reasons for decision:

This is an application for review of the decision of the Office classifying the magazine Front: Issue 163 as objectionable.

Pages 144 and 145 are a double-page spread of small advertisements, each marketing a ‘phone sex’ service. Each has a picture of a partly naked female and a text urging sexual release.

The Board has formed the opinion that the publication must be deemed to be objectionable under s3(2) of the Act because it tends to promote and tends to support the “exploitation of … young persons … for sexual purposes.”

The commerciality of the invitations to engage in telephone sex is irrelevant. Encouraging sexual release, as these advertisements seek to do, meets the statutory requirement: “for sexual purposes.” Using and corrupting the pictured females is implicitly represented as being generally good, to be encouraged, to be enjoyed. Using and corrupting other young persons thus tends to be both supported and promoted and

as the Full Court said in the News Media case “If the advertisement, in necessary context, tends to promote or support s3(2) areas, then the newspaper which carries it inevitably does likewise.”

The Board rejected the Applicant’s submission that the word “exploit” in s 3(2) of the Act “implies a lack of full consent” by those whose pictures are used in advertisements for sexual services.